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Congress of the United States
House of Representatives
Washington, DC

TESTIMONY OF CONGRESSMAN BARNEY FRANK

HOUSE COMMITTEE ON RULES

MARCH 30, 2006

Mr. Chairman and Members of the Committee, we are all here because of our commitment to making democracy work. And a central part of that commitment is to do everything possible to ensure that all of us conduct ourselves in ways that uphold the integrity and dignity of our work. In fact, I believe that the standards that govern our behavior are higher than is generally perceived, but there have been enough instances of misbehavior, and there are sufficient examples of institutional failure, to lend more support than is healthy to the cynicism about the political process that is too much a part of our national political culture.

I am therefore glad that we are going to address some of these problems. I repeat my support for the package of changes drawn together by our colleague Mr. Obey of Wisconsin, which we presented publicly last December. I want to stress here some specific points.

First, I believe it is essential that we reform the procedures by which we do the business of our country on the floor of the House. The abuse of the Conference Committee mechanism has become scandalous. This is of course a problem peculiar to the United States, because of our bicameral system, and while that bicameral system was an essential part of the compromise that allowed our country to come into existence, it must no longer be used as a screen behind which legislative maneuvers are practiced that could not survive if they had to be done in a more open, democratic fashion.

Similarly, the practice of legislation coming from a committee and being drastically transformed here in the Rules Committee or in some other non-democratic way and then presented on the floor of the House in a matter that does not allow Members even to vote on whether or not to restore the committee product traduces democracy. One of the great strengths of our committee system is that none of the ways in which debate can be shut off or amendments barred operate at the committee level. Indeed, I wish that C-Span paid more attention to the committee markups where the democratic process is often at its best, because even the House rules do not allow interference with it, and because, frankly, it shows Members at their best – in my experience, debate at the full committee level on various matters is almost always well informed, to the point, and helpful in reaching consensus where that is appropriate, and in defining differences where that should be the

case. But when decisions freely arrived at in committee are then modified elsewhere at the direction of the House leadership and the Membership is not given a chance to vote on whether or not to restore the committee product, democracy is diminished.

Next I want to talk about the question of our association with lobbyists. I do not understand why some people think it is a terrible sacrifice for us to be told that we cannot go out to dinner courtesy of those who are paid to influence legislation. For me, the prospect of leaving these buildings after a long day of work and having to spend the evening being lobbied should be banned not just by the House Rules, but by the Eighth Amendment to the Constitution of the United States. But for Members who choose this form of masochism, there still need to be rules. One which particularly concerns me has to do with travel. Clearly there have been abuses in the travel area, and Members taking luxurious trips paid for by those seeking to influence us are inappropriate and should be banned. But the notion that all private travel is corrupting is flatly wrong. I receive a number of invitations to speak at universities, to political advocacy groups, and to civic associations. These trips usually last one night, or two at most, and are not in luxury resorts. Flying to a university during the day, speaking in the evening, being available to talk with students, spending the night and flying back the next day is I hope, nobody's idea of a good time. But I do it both because I think it is part of our obligation to participate in the political and educational life of the country, and because I do benefit from this wide exposure. Of course I spend a great deal of time on my own constituents, but I think it is helpful for those of us making national policy to have some exposure to a broader set of viewpoints. I therefore strongly oppose the notion that all private travel should be banned for any period of time, because I believe as intelligent human beings we are capable of coming up with rules short of prohibition – which in this instance as in the case of alcohol, is a poor answer to a problem.